

DIVISION II. DROUGHT MANAGEMENT

Sec. 49-253. Scope.

The provisions of this division shall apply to all persons, customers, and property served by the City of Scottsdale Water Resources Department.

(Ord. No. 3516, § 3, 6-17-03)

Sec. 49-254. Declaration of policy.

It is hereby declared that, because of the conditions sometimes prevailing in Arizona, the general welfare of the city requires that the waste or unreasonable use, or unreasonable method of use of water be prevented. Water waste is a public nuisance, especially in times of drought.

(Ord. No. 3516, § 3, 6-17-03)

Sec. 49-255. Purpose.

The city will use intensive public education to assist customers impacted by the shortage to understand the alert and the city's need for voluntary compliance. In addition to education, the city may use enforcement measures to curb water misuse. No person shall use, or permit the use of city water resources for purposes contrary to this article or a drought management plan.

(Ord. No. 3516, § 3, 6-17-03)

Sec. 49-256. City manager; drought management plan implementation.

(a) The city manager shall direct the general manager of water resources to promulgate a drought management plan containing regulations setting forth the criteria for implementation and termination of various water use reduction stages.

(b) The city manager is authorized to declare a drought, and authorize implementation of the drought management plan, in response to events including, but not limited to, the following: the Salt River Project or the Central Arizona Water Conservation District announces reductions in supply, or an insufficient supply appears likely due to water system limitations or structural failure.

(c) Such declaration may designate the entire area served by the City of Scottsdale Water Resources Department, or a portion of it if the shortage is not system-wide.

(d) Upon declaring a drought, the city manager may direct the Water Resources Department to implement stage one, two, three or four conservation regulations, depending on the severity of the drought conditions. The city manager may update these regulations from time to time.

(e) The city manager may terminate the drought declaration when the Water Resources General Manager advises that the conditions that triggered it no longer exist.

(Ord. No. 3516, § 3, 6-17-03)

Sec. 49-258. Notification and publication.

If the city manager determines that the health and safety of the city dictate implementing the drought management plan, notification shall be published in a in a paper of general circulation, to educate the public about the need for the plan, and give them notice of conservation regulations and requirements of the applicable stage of the plan. A copy of the drought management plan shall also be available for inspection at the city clerk's office, and the Water Resources Department administrative office during normal business hours.

(Ord. No. 3516, § 3, 6-17-03)

Sec. 49-259. Enforcement.

(a) The city manager or designee shall have authority to take actions to enforce any mandatory elements that are part of drought management plans.

(b) The city may impose a surcharge on water consumed in excess of the amount prescribed by the drought management plan in place at the time.

(c) A written notice shall be placed on the property when a violation occurs, and a duplicate mailed to the person who responsible for the service to the property where the violation took place. The notice shall describe the violation and order that it be abated immediately.

(d) For subsequent violations, the city will issue citations and fines. Fines are serial; that is, for each subsequent violation there is a separate fine.

(e) Funds generated by the fines shall be used to mitigate the impact of the drought.

(Ord. No. 3516, § 3, 6-17-03)

Sec. 49-263. Variances.

Variances to drought plan provisions may be granted at the discretion of the city manager or designee. Applicants for a variance must apply in writing to the department of water resources, and demonstrate special circumstances such as health and safety needs or obligation of contract.

(Ord. No. 3516, § 3, 6-17-03)

Sec. 49-264. Limited exemption to restrictions for users of reclaimed water.

To the extent they are exempt from the drought management plan, users of effluent shall clearly post notices stating that the water being used is not from the public drinking water supply, and is in conformance to drought management plan in force at the time.

(Ord. No. 3516, § 3, 6-17-03)